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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,235	01/15/2004	Ian Oliver	NOKM.084PA	5303

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EXAMINER
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KANG, PAUL H

ART UNIT	PAPER NUMBER
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2144

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/758,235	<b>Applicant(s)</b> OLIVER ET AL.	
	<b>Examiner</b> Paul H. Kang	<b>Art Unit</b> 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/5/04; 5/14/04</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Herle, US Pat.

No. 6,955,298 B2.

3. As to claim 1, Herle teaches a method for transparently accessing Web Services by a network terminal via a network access point, the method comprising:

receiving a Web Service request from the network terminal by the network access point (Herle, col. 7, line 62 – col. 8, line 28);

optionally translating the Web Service request into a first format and receiving a Web Service response in the first format (Herle, col. 3, line 61 – col. 4, line 7 and col. 7, line 62 – col. 8, line 3); and

optionally translating the Web Service response into a second format, wherein the second format is indicative of processing capabilities of the network terminal (Herle, col. 7, line 62 – col. 8, line 28 and col. 6, line 56 - col. 7, line 4).

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4. As to claim 2, Herle teaches the method wherein translation of the Web Service request is performed in response to receiving a translation indication from the network terminal (Herle, col. 7, line 62 – col. 8, line 28 and col. 6, line 56 - col. 7, line 4).

5. As to claim 3, Herle teaches a method wherein the translation indication is received with the Web Service request (Herle, col. 6, line 56 - col. 7, line 23).

6. As to claim 4, Herle teaches a method wherein the translation indication is received through a capabilities information exchange with the network terminal (Herle, col. 6, line 56 - col. 7, line 23).

7. As to claim 5, Herle teaches a method wherein translation of the Web Service response is performed in response to receiving the translation indication from the network terminal (Herle, col. 6, line 56 - col. 7, line 23).

8. As to claim 6, Herle teaches a Web Service consumption system, comprising:

a network terminal adapted to request a Web Service in a translated format and adapted to receive a response to the request in the translated format a network access point coupled to receive the request and adapted to convert the request into a conventional format (Herle, col. 7, line 62 – col. 8, line 28 and col. 3, line 61 – col. 4, line 7); and

a service provider coupled to receive the request from the network access point and adapted to provide the response to the request in the conventional format, wherein the network

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access point is further adapted to convert the response into the translated format prior to forwarding the response to the network terminal (Herle, col. 7, line 62 – col. 8, line 28 and col. 6, line 56 - col. 7, line 23).

9. As to claims 7 and 8, Herle teaches the Web Service consumption system wherein the network terminal is further adapted to command the network access point to convert the request into the conventional format and is adapted to command the network access point to convert the response into the translated format (Herle, col. 3, line 61 – col. 4, line 7; col. 7, line 62 – col. 8, line 28 and col. 6, line 56 - col. 7, line 23).

10. As to claim 9, Herle teaches the Web Service consumption system wherein the translated format comprises a wireless messaging format (Herle, col. 1, lines 24-36; col. 7, line 62 – col. 8, line 28 and col. 6, line 56 - col. 7, line 23).

11. As to claim 13, Herle teaches a mobile terminal capable of being wirelessly coupled to a network which includes a network access point capable of translating Web Service exchanges between the mobile terminal and a service provider, the mobile terminal comprising:

a memory capable of storing a messaging module (Herle, col. 4, line 25-42);

a processor coupled to the memory and configured by the messaging module to enable a message exchange with the network access point, wherein the messaging module is adapted to instruct the network access point to convert the messages received from the mobile terminal to a

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format compatible with the service provider (Herle, col. 3, line 61 – col. 4, line 7; col. 7, line 62 – col. 8, line 28 and col. 6, line 56 - col. 7, line 23).

12. As to claim 14, Herle teaches the mobile terminal wherein the messaging module provides the conversion instruction to the network access point within a service request (Herle, col. 6, line 56 - col. 7, line 23).

13. As to claim 15, Herle teaches the mobile terminal wherein the messaging module provides the conversion instruction to the network access point during a capabilities exchange with the network access point (Herle, col. 6, line 56 - col. 7, line 23).

14. As to claim 16, Herle teaches a computer-readable medium having instructions stored thereon which are executable by a network terminal for consuming Web Services by performing steps comprising:

- transmitting a Web Service request in a first format to a network access point;
- signaling the network access point to convert the Web Service request from the first format to a second format; and
- receiving a response to the Web Service request from the network access point, wherein the response received is also in the first format.

15. As to claims 17 and 18, Herle teaches a network access point within a network used to facilitate a Web Service exchange between a service requestor and a service provider and a

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computer-readable medium having instructions stored thereon which are executable by a network access point for facilitating Web Service consumption by performing steps comprising:

receiving a service request in a first format from the service requestor (Herle, col. 7, line 62 – col. 8, line 28);

translating the service request from the first format into a second format in response to signaling received from the service requestor (Herle, col. 3, line 61 – col. 4, line 7 and col. 7, line 62 – col. 8, line 3);

receiving a service response in the second format from the service provider (Herle, col. 7, line 62 – col. 8, line 28 and col. 6, line 56 - col. 7, line 4); and

translating the service response from the second format to the first format in response to signaling received from the service requestor (Herle, col. 7, line 62 – col. 8, line 28 and col. 6, line 56 - col. 7, line 4).

### ***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herle in view of Dumont et al., US Pat. Application Publication No. US 2005/0064884 A1.

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18. As to claims 10, 11 and 12, Herle teaches the invention substantially as claimed.

However, Herle does not explicitly teach the Web Service consumption system wherein the wireless messaging format comprises Multimedia Messaging System (MMS) format, the Web Service consumption system wherein the conventional format comprises Simple Object Access Protocol (SOAP), and the Web Service consumption system wherein the conventional format further comprises eXtensible Markup Language (XML).

In the same field of endeavor, Dumont teaches a system and method wherein the wireless messaging format comprises Multimedia Messaging System (MMS) format, the Web Service consumption system wherein the conventional format comprises Simple Object Access Protocol (SOAP), and the Web Service consumption system wherein the conventional format further comprises eXtensible Markup Language (XML) (Dumont, ¶¶ 0017, 0038).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have applied the known technique of interfacing MMS systems with SOAP/XML to the format conversion system of Herle for the predictable result of enabling mobile device access to SOAP and XML services.

### ***Conclusion***

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H. Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on IFP.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul H Kang/  
Primary Examiner  
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